

Rent Deferral and Forgiveness Policy

POLICY STATEMENT	<p>The rules governing the Social Housing Program are set out in <i>Housing Services Act, 2011</i> (HSA) and its Regulations.</p> <p>The City of Hamilton as Service Manager under the <i>Housing Services Act, 2011</i> (HSA) establishes and administers local policies and procedures for social housing and housing programs in Hamilton. This includes rent deferral and rent forgiveness eligibility rules for social housing providers and programs governed by the HSA, O.Reg 367/11 s.51. All decisions made in accordance with this rent deferral and rent forgiveness policy are not subject to Housing Provider Internal Review or review with the Social Housing Review Panel.</p>
PURPOSE	To establish criteria for rent deferral and rent forgiveness requests from households eligible for rent-geared-to-income (RGI) subsidy or rent supplement.
SCOPE	This policy applies to situations where a household eligible for rent-geared-to-income (RGI) subsidy or rent supplement who requests rent deferral or rent forgiveness.
DEFINITIONS	
<i>Rent Forgiveness</i>	Rent forgiveness means a household is not required to pay rent for a specified period of time.
<i>Rent Deferral</i>	Rent deferral means rent that is due and payable by the household will be paid in full at a later date and/or over a specified time period.
TERMS and CONDITIONS	All requests for rent deferral or rent forgiveness must be submitted in writing by the RGI household to their Housing Provider.
Rent Deferral	<p>For RGI subsidized units with a Social Housing Provider: Housing Providers may defer rent at their discretion and enter into a rent repayment agreement with the RGI household.</p> <p>For rent supplement units: Housing Services Division staff may defer rent at their discretion and enter into a rent repayment agreement with the RGI household-rent supplement household.</p>
Rent Forgiveness	<p>For RGI subsidized units with a Social Housing Provider: With prior Service Manager written consent, Housing Providers may forgive the full rent payable by an RGI household if:</p> <ul style="list-style-type: none"> • it is at initial occupancy for the maximum of 2 months and • the household provides verification from their previous landlord that they have paid rent for the same time period (includes rent that was paid as last month’s rent at the onset of tenancy)



The Housing Provider will determine if the verification is valid and sufficient to confirm rental payment to the previous landlord.

Once a dual rent situation is confirmed, the Housing Provider will contact their Service Manager - Housing Administration Officer to get consent to forgive rent.

The Housing Provider will notify the RGI household, in writing, of the approval or denial of the rent forgiveness request.

For rent supplement units:

Housing Services Division staff may forgive rent under the same circumstances as above.

Housing Services Division staff will notify the RGI household, in writing, of the approval or denial of the rent forgiveness request.

RESPONSIBILITIES

Housing Providers and Housing Services Division staff must use this policy when making any decisions about deferral or forgiveness of rent.

Housing Providers:

Housing Providers must ensure a rent repayment agreement is reasonable based on the circumstances of each household.


Households shall be sent written notice of the decision to approve or deny a rent deferral or rent forgiveness request.

Housing Provider must document all decisions of rent deferral and rent forgiveness in the tenant's file.

The decision is not subject to a housing provider internal review, nor is it subject to a review by the Social Housing Review Panel.

Every month, the Housing Provider must report the total number of households provided rent forgiveness to the Service Manager.

Rent forgiveness should also be reported to the Board of Directors for Housing Providers, including Co-operative Housing Providers.

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	<p>For Rent Supplement Units:</p> <p>Housing Services Division staff must ensure a rent repayment agreement is reasonable based on the circumstances of each household.</p> <p>Households shall be sent written notice of the decision to approve or deny a rent deferral or rent forgiveness request.</p> <p>Housing Services Division staff must document all decisions of rent deferral and rent forgiveness in the tenant's file.</p> <p>The decision is not subject to a housing provider internal review, nor is it subject to a review by the Social Housing Review Panel.</p> <p>Every month, the Housing Services Division staff must report the total number of households provided rent forgiveness to the Manager, Investment in Affordable Housing Manager.</p>	
COMPLIANCE	<p><i>Housing Services Act, 2011, O.Reg. 367/11 s.51</i></p> <p>As outlined in the Terms and Conditions section, this Rent Deferral and Rent Forgiveness policy complies with <i>HSA O.Reg 367/11 s.51</i> which permits the Service Manager to establish a rule setting the criteria for rent deferral and rent forgiveness.</p> <p>Documentation verifying the circumstances and outcome of a rent deferral or rent forgiveness request must be kept on the tenant's file, including:</p> <ul style="list-style-type: none"> • Written Request from the tenant including the reason for the rent deferral or rent forgiveness request • Documentation which verifies the reason for the request • Denial or Approval of the request including the beginning and end dates of rent forgiveness or rent deferral (repayment) <p>Housing Services Division staff monitors compliance with this policy through statistical reports and operational reviews submitted by the housing providers and through Housing Services Division staff who administer the rent supplement and housing allowance program.</p>	
HISTORY	City of Hamilton's Legal Services Division was consulted on this policy	
Approval	<p>Authors: Tammy Morasse, Senior Policy Analyst Manager: Adam Sweedland, Manager of Social Housing Director: David Brodati, Acting Director – Housing Services Date: 2017-06-16</p>	